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ABSTRACT

The paper is intended to provide Oregon schools with guidance on interpretations regarding evaluation of children with specific learning disabilities (LD), as required by the regulations for the Education for All Handicapped Children Act, P.L. 94-142. A list of definitions is followed by guidelines for protection in evaluation procedures with all handicapped children and for re-evaluation. Procedures for evaluating students with specific LD are then summarized, and components of the evaluation process (exclusion of other primary disabilities, criteria of academic achievement, discrepancy between the student's potential and actual levels of learning, psychological processes, and medical aspects) are discussed. Requirements regarding observations and written reports are specified. The final section consists of answers to 17 questions on such topics as student transfer, differences between slow learners and students with specific LD, re-evaluation frequency, timeliness on evaluation, multidisciplinary team processes, and determination of a discrepancy between expected and actual achievement level. Among four appendices are a suggested evaluation compliance checklist and an index of selected screening, intelligence, and diagnostic tests for use with the LD population. (CL)

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TECHNICAL ASSISTANCE PAPERS

A Series on PL 94-142 and Related Oregon Laws

SPECIFIC LEARNING DISABILITIES
TECHNICAL ASSISTANCE PAPER 4

January 1982

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OREGON DEPARTMENT OF EDUCATION, SALEM 97310
SPECIAL EDUCATION AND STUDENT SERVICES DIVISION

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INTRODUCTION

As part of its responsibility to monitor Public Law 94-142 and related Oregon laws and regulations, the Oregon Department of Education is developing this series of technical assistance papers to help with school district compliance. The series is designed to provide concise, practical information, including explanations of the laws and regulations, answers to frequently asked questions, sample forms and checklists. Districts may compare their own forms with the form and checklist provided here for purposes of revising their forms as needed to meet regulations. Or, they may wish to adopt the samples herein.

Federal regulations for special education are not always sufficiently explanatory, and federal legal interpretations have not been forthcoming in many cases. This paper was developed to provide schools with the best available advice and most current legal interpretations. Districts, of course, differ in such variables as resources, student needs and parent requests; therefore, some issues can only be resolved on a case-by-case basis.

Outlined on the following pages are the minimum requirements for evaluation to determine specific learning disabilities.

Note on Legal Authority: PL 94-142 regulations have been recodified under Title 34, Section 300, and appear throughout this paper as 34 CFR 300. ___. Relevant Oregon Administrative Rules (OAR) for special education are cited as 581-15-___.

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DEFINITIONS

CFR (Code of Federal Regulations) Comments

Explanations of PL 94-142 regulations which are quoted from the *Federal Register*; comments are not part of the regulations but help interpret them.

Criterion-Referenced Measure

Tests in which responses are assessed on the basis of an individual's own performance in relation to a predetermined criterion.

Evaluation

The process of appraising an individual's status or growth by means of such instruments as behavior rating scales, tests, and inventories. The term refers to procedures used selectively with the individual child and does not include basic tests administered to or procedures used with all children in a given school, grade, or class.

Identification

Determining whether a child is handicapped according to the minimum criteria outlined in Oregon Administrative Rule 581-15-051. A change in identification means that: (1) a child is found to be handicapped, (2) a child who is handicapped is found to meet criteria for a handicapping condition which is different than that for which the child was identified originally, or (3) a child who had been identified as handicapped is found to be no longer handicapped.

Native Language

The language normally used by the individual taking the test, or, in the case of a child, the language normally used by the parent of that child.

Norm-Referenced Measure

Measures designed to compare the performance of an individual taking a test to the performances of other individuals of the same age or grade level.

Oregon Administrative Rule (OAR)

A regulation implementing an Oregon Revised Statute, and having the authority of law. OARs 581-15-005 through 581-15-500 pertain to special education.

Oregon Revised Statute (ORS)

A law passed by the Oregon Legislative Assembly.

Qualified Evaluator

A person who is qualified to conduct individual diagnostic examinations and who has met state educational agency approved or recognized requirements for certification, licensing, or registration; includes school psychologists, handicapped learner specialists, speech/language disorders specialists.

Reliable Instrument

An accurate test with little margin for random error; describes the extent to which measurements can be depended upon to provide consistent, unambiguous information.

Special Education

As defined by OAR 581-15-005, special education is instruction especially designed to meet the unique needs of a child who is handicapped; includes regular classroom instruction, instruction in physical education, home instruction, related services, as well as instruction in hospital, institution and special school settings.

Specific Learning Disabilities

One category of children who are handicapped; a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations. Children with specific learning disabilities are unable to profit from regular classroom methods and materials without special educational help, and are, or will become, extreme underachievers. These deficiences may be exhibited in mild to severe difficulties with perception (the ability to attach meaning to sensory stimuli), conceptualization, language, memory, motor skills, or control of attention. Specific learning disabilities include such conditions as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not include children who have learning problems which are primarily the result of visual, hearing, or motor handicaps, mental retardation, emotional disturbance, or are due to environmental, cultural, or economic disadvantage. (OAR 581-15-051)

Valid Instrument

Validity refers to the extent to which a given test measures that which its authors or users claim it measures.

Written Parental Consent

(a) The parent has been informed fully of all information relevant to the activity for which consent is being sought, in the parent's native language, or other mode of communication;

(b) The parent understands and agrees in writing to the carrying out of the activity for which the parent's consent is being sought, and the consent describes the activity and lists the records (if any) which may be released and to whom; and,

(c) The parent understands that the granting of consent is voluntary on the part of the parent and may be revoked at any time. (34 CFR 300.500)

PROTECTION IN EVALUATION PROCEDURES
ALL HANDICAPPED CHILDREN

1. Evaluation procedures used to determine whether a child is handicapped and to determine the nature and extent of the special education services that the child needs are those used selectively with an individual child and do not include basic tests administered to or procedures used with all children in a school, grade, or class. (34 CFR 300.500) Evaluation procedures need to:

   — Be thorough and complete for each individual student's educational needs (OAR 581-15-071).
   — Include all areas related to the suspected disability of the individual student.
   — Be appropriate for all students in a given school, grade or class for the purposes of screening.

2. Testing and evaluation materials and procedures used for the purposes of evaluation and placement of handicapped children must be selected and administered so as not to be racially or culturally discriminatory. (34 CFR 300.530(b))

   — Procedures specified under items 3-10 of this section must be followed.
   — The background experience of the English-speaking minority group, as opposed to skin color, race or ethnic background, should be comparable to that of students who make up the normative sample for the selected standardized device(s).
   — Inspection of the characteristics of the students who make up the normative sample will increase effectiveness in evaluating or predicting a student's level of performance.

3. Tests and other evaluation materials are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so. (34 CFR 300.532(a)(1))

   — Test items should be in a language with which the student is most comfortable. For example, if the student normally speaks Spanish, the tests should be in Spanish; for the student who is deaf or blind, and has no written language, the student's typical mode of communication (sign language, speech, braille) must be identified and used for testing. Making use of a translator is an appropriate alternative.
   — The critical concern is that the performance represents the student's full ability and knowledge, and that it is not the product of language, communication style or barrier to communication.
   — Individual best interests determine the feasibility of using the student's native language or other mode of communication.

4. Tests and other evaluation materials are validated for the specific purpose for which they are used. (34 CFR 300.532(a)(2))

   — Those administering the test should have a clear understanding of what is to be measured and select tests accordingly.

5. Tests and other evaluation materials are administered by trained personnel in conformance with instructions provided by their producer. (34 CFR 300.532(a)(3))

   — The administering, scoring and interpreting of tests require different levels of training and expertise, depending on the test and the degree of interpretation required to draw meaning from the student's performance.
   — Evaluators should administer only those tests which they are qualified to administer; training should precede administration.

6. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient. (34 CFR 300.532(b))

7. Tests are selected and administered so as best to assure that, when a test is administered to a child with impaired sensory, manual or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever factors the test purports to measure rather than reflecting the child's impaired skills, except where those skills are the factors which the test purports to measure. (34 CFR 300.532(c))

8. No single procedure is used as the sole criterion for determining an appropriate educational program for the child. (34 CFR 300.532(d))
   - Specific areas of educational need should be thoroughly explored for each student, utilizing standardized devices, criterion-referenced measures, teacher-made exercises, and/or through classroom observation.
   - Intelligence tests or criterion measures, which the local education agency validates in terms of accuracy in measuring the student's potential or ability level, may be used in addition to other evaluation procedures or materials.
9. The evaluation is made by a multidisciplinary team or group of persons including at least one teacher or other specialist with knowledge in the area of suspected disability. (34 CFR 300.532(e))
10. The child is assessed in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities. (34 CFR 300.532(f))
    - Each student's suspected disability should guide the evaluator's selection of areas to be assessed.
    - A medical examination is critical should questions of health, vision and hearing be raised as factors related to overall learning.
11. See page 15 for a suggested guideline for compliance in evaluation procedures.

RE-EVALUATION

1. A re-evaluation of the student, based on procedures which meet the requirements of the previous section, is conducted every three years, or more frequently if conditions warrant or if the student's parent or teacher requests an evaluation.
   - — Successful completion of short term objectives and annual goals specified on the student's IEP should indicate whether the program should be continued or changed.
   - — The student's current level of performance, compared with the performance requirements of the student's appropriate grade placement, will help to determine whether there exists a discrepancy severe enough to continue the program or to move to a less restrictive placement.
2. Re-evaluation of a student with specific learning disabilities should focus on the improvement which has been made during the time special education and related services have been provided, instead of stressing the discrepancy between achievement and intellectual ability. The student's need for continued special education and related services should be evaluated.
   - -- At the end of three years, the student no longer may meet the original requirements for eligibility; however, the student still may not be able to successfully manage placement in the regular school program without some special education support.
3. A multidisciplinary team needs to prepare a written report documenting the most current assessment of the student's need for continued service.

PROCEDURES FOR EVALUATING SPECIFIC LEARNING DISABILITIES

The December 29, 1977 *Federal Register* listed additional procedures for evaluating specific learning disabilities (SLD). The procedures only apply to specific learning disabilities, and not to other handicapping conditions, and include additional MDT members, observation of the student and a written MDT report.

In evaluating a student suspected of having specific learning disabilities, the multidisciplinary team (MDT) must include:

- the student's regular teacher; or, if the student does not have a regular teacher, a regular classroom teacher qualified to teach a student of that age; or, for a student who is less than school age, an individual qualified according to appropriate teacher certification requirements to teach a student of that age.
- at least one professional who is qualified to conduct *individual* diagnostic examinations of students, such as a school psychologist, speech-language pathologist, or remedial reading teacher.
- a teacher or other person knowledgeable about learning disabilities, such as the handicapped learner specialist. (May be the same person as above.)

In order to provide a comprehensive view of the student, the MDT will:

- determine if referral is appropriate (including exploring alternatives);
- conduct assessments;
- determine other information needed and assign responsibilities for gathering it;
- summarize results of assessments;
- establish current level of educational functioning;
- determine eligibility for special education and/or related services by making a recommendation.

The outcomes of the MDT process are:

- a comprehensive assessment based on the unique educational needs of the student;
- a statement of the student's current educational level of functioning;
- a recommendation of eligibility for special education and/or related services;
- the continual involvement and informed consent of the parent (and student, when appropriate).

EVALUATION — COMPONENTS

Minimum eligibility criteria (34 CFR 300.541; OAR 581-15-051—072). Areas which need to be examined are: an exclusion component, an academic achievement component, a discrepancy component, a psychological processes component and a medical component.

1. ***Exclusion Component***

   The team may not identify a student as having specific learning disabilities if the severe discrepancy between ability and achievement is *primarily* the result of handicaps due to other disabilities.

   Starting with the exclusion component, allow a number of factors (e.g., vision, hearing) to be checked before extensive examination is undertaken. For example, a student's learning disability may be related directly to vision or hearing. The following areas need to be examined to determine if they are the basis of the student's problem, rather than the learning disability.

   - a visual, hearing, or motor handicap (OAR 581-15-051).
   - mental retardation (OAR 581-15-051).
   - emotional disturbance. In addition to criteria under OAR 581-15-051, there may be *secondary* emotional disturbance or social maladjustment, which refers to behaviors developed as a result of attempts to adapt to specific learning disabilities. If the emotional disturbance is the *primary* cause of inability to learn or adjust socially, the student does not have a specific learning disability.
   - cultural, environmental, and/or economic disadvantage. This area includes those conditions which deny stimulation, experience, and educational opportunity to the student. The primary learning difficulties of this category of student must not be attributed to a learning disability *per se*.

     The description of a student as "culturally, environmentally, or economically disadvantaged" can be determined by interview, social history, use of tests which claim to be culture-fair, the establishment of regional and ethnic norms, pluralistic evaluation, and/or the use of assessment techniques which utilize a number of approaches.

2. ***Academic Achievement Component***

The MDT may classify a student as specific learning disabled if:

- the individual level of achievement is not commensurate with the student's age and ability levels in one or more of the areas listed below when the student is provided with learning experiences which are appropriate for the student's age and ability levels.
- the team finds that a student demonstrates a severe discrepancy between achievement and intellectual ability in one or more of the following areas:

  oral expression,
  listening comprehension,
  written expression,
  basic reading skills,
  reading comprehension,
  mathematics calculation, or
  mathematics reasoning.

- the student's educational experiences also should be examined to provide evidence that the learning disability exists even when the student is provided with experiences which are appropriate in terms of age and level of ability. A student with a specific learning disability typically presents a profile of uneven achievement.

The requirements of this component can be fulfilled through the administration of achievement and diagnostic tests which are technically adequate; that is, the tests should include data on standardization, reliability and validity according to the standards outlined in Standards for Educational and Psychological Tests, published by the American Psychological Association in 1974. (See page 18 for a list of tests which may be useful in testing SLD students.)

- While there may be a number of drawbacks in the use of tests to make classification and placement decisions, most federal laws and state regulations require that decisions be based on such testing. This requirement exists primarily to protect students. If the MDT made classification and placement recommendations on the basis of subjective impressions alone, classification and placement could be deemed somewhat arbitrary.
- Tests which are norm-referenced compare an individual's score with that of the standardization group of the test, plus identifying those below the norm. The student taking a norm-referenced test should be adequately represented in the standardization group.

A test that displays very little margin for random error is said to be accurate and reliable. The higher the correlation coefficient, the more reliable the test. Suggested coefficient standards of reliability are:

- Ø.50 as a minimum level, if test scores are to be used administratively and are reported for groups.
- Ø.80 for screening purposes, and
- Ø.90 for decision making purposes with regard to an individual student.*

Validity of a test should be judged relative to the content of the curriculum taught locally, and all aspects of the test content should be representative of that curriculum. In order to evaluate a test's validity, those administering the test must have a clear understanding of what is to be measured.

3. ***Discrepancy Component***

To determine if a discrepancy exists between the student's potential and actual levels of learning, the following questions need to be addressed:

- What is the individual's potential for learning (ability level)?
- What is the individual's present achievement level? (What has been learned?)
- What degree of discrepancy between potential and achievement is significant?

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*Salvia, J. and Ysseldyke, J. *Assessment in Special and Remedial Education*, Second Edition (Boston: Houghton Mifflin Co, 1981)

The assessment of a student's potential is difficult because various intelligence tests yield different measures and the relationship between IQ test scores and learning capacity is not well established. The use of intelligence tests to determine ability levels is optional. If an individual intelligence test is used, the WISC-R is highly recommended because of its technical adequacy.** All students having IQ scores above 70 should be considered possibly learning disabled, provided other criteria are met. The MDT should go beyond the broader verbal, performance, and full-scale scores provided to look at individual performance on the special subtests. Evidence of subtest "scatter" alone is not indicative of SLD. However, the student's total performance as evidenced from teacher reports, observation data, inspection of student work and other formal or informal test scores may support the existence of an uneven pattern that is highly characteristic of SLD.

The amount of discrepancy or deficit varies with age; lesser amounts have more meaning with students at the elementary level than those at the secondary. At the preschool level, language functioning, self-help, fine motor, and socialization skills are important for evaluation, while prevocational skills need to be examined at the secondary level.

Several school districts in the state have identified deficit levels as guidelines for classification. A suggested schedule is:

In Kindergarten and Grade 1	6 months or more behind
In Grades 2 and 3	12 months or more behind
In Grades 4 and 5	18 months or more behind
In Grades 6-8	24 months or more behind
In Grades 9 and 10	36 months or more behind
In Grades 11 and 12	48 months or more behind

When a severe discrepancy exists between ability and achievement that cannot be explained by the presence of other factors which are known to cause such a discrepancy, the cause is believed to be a specific learning disability. Clearly, the judgment of the MDT must be called upon to make the final determination. The Office of Special Education has stated that use of a formula or deficit guideline must *only* be an aid in determining SLD eligibility of a student (DAS Information Bulletin #54, 1/29/80).

4. ***Psychological Processes Component***

The team also may determine that a student has specific learning disabilities if the team obtains evidence of a deficit in perception, conceptualization, language, memory, motor skills, or control of attention *such as to prevent the student from profiting adequately from regular classroom methods and materials without special education assistance.*

The psychological processes component has been criticized because of difficulty with the definition of what constitutes SLD, imprecision in measurement and difficulty in making data interpretations, and the fact that specific information regarding processes to be evaluated is not presented in the federal regulations. However, Oregon's (b) alternative for establishing SLD eligibility has been accepted by the federal office through its approval of the state plan. This alternative is particularly pertinent to kindergarten and first grade students.

5. ***Medical Component***

The medical examination generally required in determining the eligibility of a student who is handicapped for special education may be waived by the school district, but a medical examination is recommended when learning disabilities may be associated with neurological, vision, or hearing problems, or, when after a period of special education assistance, the student has failed to make reasonable progress.

EVALUATION — OBSERVATION REQUIREMENTS (34 CFR 300.542; OAR 581-15-072)

1. The regulations are specific in the area of diagnosing learning disabilities (34 CFR 300.542):
   - at least one team member, other than the student's regular teacher, must observe the student's academic performance in the regular classroom setting.
   - in the case of a student who is younger than school age, or who is out of school, a team member observes the student in an environment appropriate for a student of that age.
2. A statement of the relationship of observed behavior to academic functioning must be included in the MDT written report. The Oregon definition of learning disabilities includes:

"These children are unable to profit from regular classroom methods and materials without special education help, and are, or will become, extreme underachievers."

** Caution is needed when using standardized tests with students of limited English proficiency or disadvantaged backgrounds. In such cases, standardized tests should be used as clinical tools; test norms would not apply.

3. It is important that observation be made in a classroom setting that is as typical as possible. It would be helpful to seek the following information from the classroom teacher:
   - What behaviors have you noted that you feel indicate a need for special education?
   - In what setting and time are they evidenced?
   - How can we arrange the observation so that an observer will see these behaviors?
4. One suggested setting for observation may be during a teacher presentation (either the whole class or in a small group), and an assignment seated at desks to reinforce the presentation, including a requirement that the students move from one location to another. In this setting the observer can note student attention during the presentation, efficiency in making the transition from one activity to another, and behavior while seated at desk and working on an assignment, as well as completion or noncompletion of the assignment.

EVALUATION — WRITTEN REPORT REQUIREMENTS (34 CFR 300.543; OAR 581-15-072)

The team prepares a written report of the results of the evaluation. The report must include:

1. a statement as to whether the student has a specific learning disability,
2. the basis for making such a determination,
3. the relevant behavior noted during the observation of the student,
4. the relationship of that behavior to the student's ability to function academically,
5. any medical findings which are relevant to the student's education,
6. whether the discrepancy between achievement and ability is severe enough that it cannot be corrected without special education and related services, and
7. the determination of the team concerning the effects of environmental, cultural, or economic disadvantage.

Each team member identifies in writing whether the report reflects his/her conclusions. If it does not, the team member must submit a separate statement of conclusions. Appendix C (page 16) is in compliance with requirements for written reports.

QUESTIONS AND ANSWERS

1. ***How should a school district handle a student transfer?***
   If there is evidence in the student's files that a multidisciplinary team (MDT) has properly determined eligibility as specific learning disabled (SLD), the receiving school district should also consider the student SLD and provide appropriate services.

   If there is reason to suspect SLD eligibility but such determination is lacking or inadequate, the receiving school district should:

   (1) contact the sending school district for confirmation of eligibility;
   (2) obtain documentation of eligibility; failing to obtain such documentation,
   (3) complete all necessary steps to determine eligibility with current assessment information.

2. ***What is the district's responsibility when parents do not agree to placement?***
   Clearly it is in the best interest of the school district, parent and student to pursue all possible means of reaching agreement. If the district abides by the parent's wishes, it is suggested that the district document the parent's refusal in a statement signed by the parent outlining the placement recommended and refused. The district finally may resort to initiating a hearing under OAR 581-15-081.

3. ***How does a "slow learner" differ from a child with SLD?***
   The regulations are not clear on differentiating between the two. If the MDT has followed all eligibility requirements for SLD (pages 6-9), and the student does not meet these minimum requirements, the student may be a slow learner and other services such as those under Title I may be utilized. NOTE: A slow learner usually will not present evidence of a severe discrepancy in one or more areas. Generally, the evidence will indicate low level of functioning on all tests.

4. ***How often does the law require re-evaluation of an SLD child?***
   The MDT must re-evaluate the student every three years, unless a request or need to do so is warranted before that time.

5. ***If a student misses a significant amount of school, does that student qualify as SLD?***
   Only if all eligibility requirements for SLD are met. This student may not have been provided with particular learning experiences due to absenteeism.

6. ***Is the MDT responsible for placement of the SLD student?***
   No. The MDT determines eligibility for classification and makes the appropriate recommendation for services. At the time the student's IEP is developed, special education and related services are determined.

7. ***Must each member of the MDT be required to be physically present at a team meeting or would representation by a report be sufficient?***
   A member may be represented by a report, providing that one other member of the team is able to interpret the information in the report. The intent of including specific disciplines on the MDT is to assure non-discriminatory procedures and that all student needs have been assessed. There must be a minimum of two members present to constitute a team meeting.

8. ***What kind of timeline is required under procedural guidelines?***
   Oregon law (ORS Chapter 343) requires that evaluation be completed within a reasonable time after receiving the referral and obtaining written parental consent. Appendix A (page 14) suggests that approximately three days after completion of the pre-placement evaluation, the MDT should determine eligibility. The IEP must be completed within 30 days after eligibility is determined. Any of these requirements may be completed earlier as long as the correct sequence is followed. It would be desirable to complete the evaluation as soon as possible.

9. ***Is parental permission necessary prior to observation?***
   The observation itself does not require permission. However, parental permission *is* required for pre-placement evaluation. Since observation must be done as part of the pre-placement evaluation, parental consent must precede the observation.

10. ***Does the SLD program need to involve removing the student from the classroom?***
    No. The IEP refers to the program (materials, methods, activities, related services), rather than geographic location. The handicapped learner specialist may work with the student and student's teacher in the regular classroom.

11. ***When the law states "assessed in all areas of suspected disability," what does that mean?***
The unique needs of the student should guide the assessment, not the suspected handicapping condition. For example, if the suspected disability is in math, reading may not need to be evaluated except for the possible effect of reading on story problems. The exclusion component (page 6) should be ruled out as the primary factor. Observation of the student in the regular classroom or inspection of the student's daily work may indicate the need for evaluation factors related to the math disability. It may be necessary to go beyond the stated referral to ascertain whether other areas of disability exist.

12. ***What is the recourse if all MDT members do not agree with the team decision on SLD eligibility?***
Each member identifies in writing whether the report reflects his/her conclusion. If it does not, the team member submits a separate statement of conclusions. The majority opinion of the team determines eligibility.

13. ***Is it required to administer an individual test, such as the WISC-R or Binet, in order to determine whether a student has a specific learning disability?***
There is no *specific* requirement to administer an IQ test to determine SLD eligibility. However, determination of eligibility requires the multi-disciplinary team to satisfy the requirement of either (a) or (b) of Oregon SLD criteria (OAR 581-15-051(5)). The criteria under (a), the federal criteria, require establishing a severe discrepancy between achievement and intellectual ability. To do so frequently will involve giving an individual intelligence test. There may be cases where the team finds enough evidence of intellectual ability significantly above performance level without administering an individual IQ test.

14. ***How does one determine whether a discrepancy exists between expected achievement level (based on estimated intellectual ability) and actual achievement level without administering an individual IQ test?***
Some sources of information for making such a conclusion as a team would include: (1) academic functioning, wherein a student functions very well in some areas involving reasoning, such as math, while at the same time functions poorly in areas such as reading; and (2) performance in a variety of problem solving situations. Gathering this type of information would require careful observation and documentation by trained personnel, not just subjective "feelings" or impressions of the classroom teacher. However, the classroom teacher would be a valuable source when gathering information. The MDT would compare the estimate of expected performance level (based on estimated intellectual ability) with the actual performance level to establish a severe discrepancy. It is important to remember that the "excluders" of mental retardation, emotional disturbance, etc., would apply. Thus, it is necessary to rule out mental retardation, but this could frequently be done without administering an individual IQ test.

15. ***Is it necessary to satisfy both alternatives (a) and (b) in the Oregon eligibility criteria for SLD (OAR 581-15-051)?***
No. Whichever alternative is most appropriate will satisfy the requirement.

16. ***Can a district adopt a formula or discrepancy schedule as its criterion for determining SLD? If so, can a student not meet a district's formula or discrepancy schedule and still be SLD?***
The U.S. Office of Special Education has stated that a state or school district may apply a formula as part of its criteria for determining SLD, but has cautioned that the judgment of the multidisciplinary team takes precedence. Thus, if a majority of the team members believes a student who does not meet the formula or discrepancy schedule is actually SLD, the student must be considered eligible.

17. ***Why has the Oregon Department of Education not adopted a specific formula or discrepancy schedule as has been done by some other states?***
Historically, use of a specific discrepancy did not prove acceptable to special education teachers in the early years of Oregon's special education program. Common practice was to make a unilateral decision on which students to serve, regardless of the mandated discrepancy figure. Fortunately, these decisions were usually based on a diagnostic study of each student.

The U.S. Office of Special Education's effort to use a formula for determining SLD, as written into the Office's proposed regulations, was abandoned in the final regulations. The comments section of the December 29, 1977 SLD regulations reports four primary problems with the use of a formula to determine a severe discrepancy: (1) the inappropriateness of attempting to reduce the behavior of children to numbers, (2) the psychometric and statistical inadequacy of the procedure, (3) the fear that use of the formula might easily lend itself to inappropriate use to the detriment of children who are handicapped, (4) the inappropriateness of using a single formula for children of all ages, particularly pre-school children.

The Oregon Department of Education is committed to a careful diagnostic study of each student suspected of having a specific learning disability with the multidisciplinary team's decision based on a careful consideration of the strengths and needs of each student.

APPENDICES

A. Suggested Procedural Timeline
Contains suggested times for events surrounding referral, evaluation and the determination of eligibility for compliance with state and federal laws.

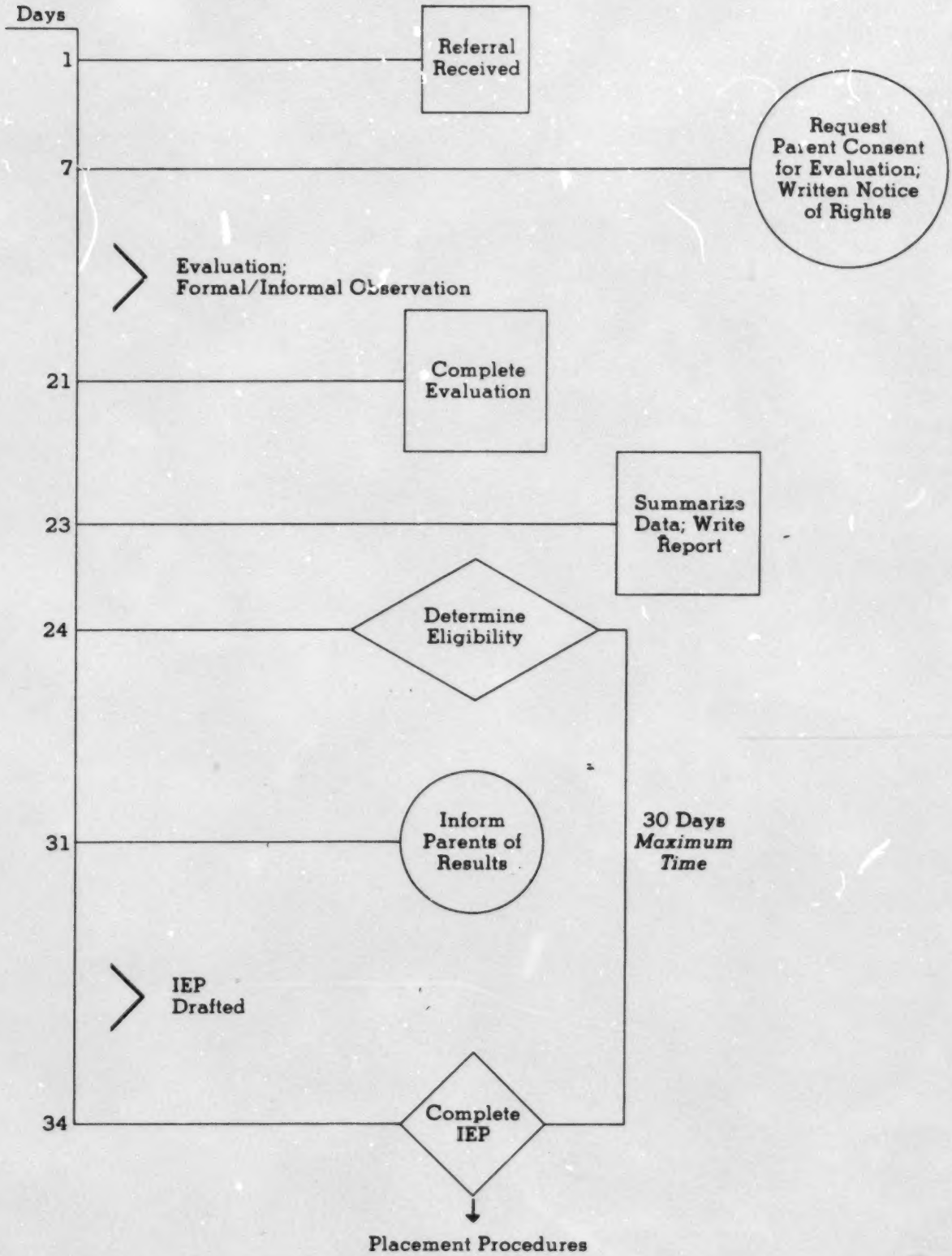
B. Suggested Evaluation Compliance Checklist

C. Suggested Written Multidisciplinary Team Report: Specific Learning Disabilities Eligibility
The form includes information necessary for school districts to be in compliance with state rule (OAR 581-15-075) and federal law (34 CFR 300.540-543), and meets the requirements for the written report.

D. Selected Tests

APPENDIX A

SUGGESTED PROCEDURAL TIMELINE



EVALUATION COMPLIANCE CHECKLIST
PROCEDURAL SAFEGUARDS: EVALUATION

To be completed by the individual responsible
for coordinating the student's evaluation

	Yes	No	Date
Answer Prior to Evaluation			
1 Referral received	____	____	____
2 A written notice of intent to evaluate the student was sent to the parent (300.504)	____	____	____
3. Parental consent was given for evaluation (300.504)	____	____	____
4. Parent informed of rights	____	____	____
Individual Evaluation Started			
5. Evaluation in native language	____	____	____
6. A complete, individual evaluation of the student's educational needs was conducted (300.531)	____	____	____
7. Instruments valid for specific purposes for which they were used (300.543)	____	____	____
Answer After Evaluation			
8. The evaluation instruments were administered in a valid manner by trained personnel (300.532)	____	____	____

9. An evaluation was conducted in the following areas:

a. ___ Adaptive Behavior
___ Academic Achievement
___ oral expression
___ listening comprehension
___ written expression
___ basic reading skill
___ reading comprehension
___ math calculation
___ math reasoning
___ Language Development
___ Medical History
___ Social Adaptation
___ Vocational Interests
___ Intellectual Aptitude
___ Motor Development
___ Emotional Maturity
___ Vocational Skills
___ Other _____

b. ___ Perception
___ Conceptualization
___ Language
___ Memory
___ Control of Attention
___ Other _____

	Yes	No	Date
10. The evaluation was conducted by members of a multidisciplinary team	____	____	____

_____ teacher
_____ qualified evaluator
_____ LD specialist
_____ other

11. Eligibility recommendation _____	____	____	____
12. Parent informed of results of evaluation and the right to independent evaluation	____	____	____

APPENDIX C

School District
Address
City, Oregon Zip
(503) Phone

MULTIDISCIPLINARY TEAM REPORT
SPECIFIC LEARNING DISABILITIES ELIGIBILITY

Student: _____ Birth Date: _____ Case #: _____

School: _____ Grade: _____ C.A. _____

Teacher: _____ Date: _____

1. This student _____ have specific learning disabilities as evidenced by (a)_____ (does, does not)
a severe discrepancy between achievement and ability, or (b)_____ a documented deficit in psychological processes. (Please check (a) or (b).)

2. The basis for making the above determination is _____

3. The determination of the multidisciplinary team (MDT) concerning the effects of the following were:
   a. a visual, hearing or motor handicap _____
   b. mental retardation _____
   c. emotional disturbance _____
   d. environmental, cultural or economic disadvantage _____

4. This student _____ been provided with learning experiences (has, has not)
appropriate for age and ability levels.

5. An observation was made in a classroom setting on _____ (date)
by _____ (name), _____ (title)

6. The relevant behavior noted and the relationship of that behavior to student's academic functioning was: _____

7. The relevant medical findings, if any, were: _____

8. There _____ a deficit which influences achievement which is not correctable without (is, is not)
special education and related services in the following: _____

9. MDT Recommendation: _____

10. The following persons certify that the above statements reflect their conclusions.

_____ Appropriate Teacher

_____ L.D. Specialist

_____ Qualified Evaluator

_____ Other

11. The following persons disagree with the above conclusions:

Name	Title
Name	Title

My/our conclusions are as follows:

APPENDIX D

SELECTED TESTS

The following tests are used to help assess SLD students. This list is by no means exhaustive, nor is any endorsement of specific tests over other tests implied. However, tests marked with an asterisk(*) have been judged to be technically adequate on standardization techniques, reliability and validity evidence. Tests designed to be criterion referenced allow for qualitative information on student performance to be gathered. Many other tests which are not qualitatively adequate may provide qualitative data without using standard scores. References for additional tests include the *Mental Measurement Yearbook*, O. K. Buros (Ed.) and *Assessment in Special and Remedial Education*, Salvia and Ysseldyke.

Name of Test	Publisher Code	Date Published	Level	Individual or Group	Norm Referenced (NRT) or Criterion Referenced (CRT)
SCREENING DEVICES					
California Achievement Test (CAT)*	B	1977-78	K-12	G	NRT/CRT
Iowa Test of Basic Skills (ITBS)* and Tests of Proficiency (TOP)*	K	1978	K-9	G	NRT/CRT
	K	1978	secondary	G	NRT/CRT
McCarthy Scales of Children's Abilities (MSCA)*	J	1972	2½-7½ yrs	I	NRT
Metropolitan Achievement Tests (Survey Battery) (MAT)*	E	1978	K-9	G	NRT/CRT
Otis-Lennon School Ability Tests (OLSAT)*	E	1979	1-12	G	NRT
Peabody Individual Achievement Test (PIAT)*	A	1970	K-12	I	NRT
Stanford Achievement Test (SAT)*	E	1973	1.5-9.5	G	NRT/CRT
Stanford Early School Achievement Test*	E	1973	K-1	G	NRT/CRT
Stanford Test of Academic Skills (TASK)*	E	1973	secondary	G	NRT/CRT
INDIVIDUAL INTELLIGENCE TESTS					
McCarthy Scales of Children's Abilities (MSCA)*	J	1972	2½-7½ yrs	I	NRT
Slossen Intelligence Test (SIT)	L	1963	2 weeks-27yrs	I	NRT
Stanford-Binet Intelligence Scale	F	1972	2-adult	I	NRT
The Wechsler Scales:					
Wechsler Preschool & Primary Scales (WPPSI)*	J	1967	4-6½ yrs	I	NRT
Wechsler Intelligence Scale for Children-Revised WISC-R)*	J	1974	6-16 yrs	I	NRT
Wechsler Adult Intelligence Scale (WAIS)*	J	1955	over 16 yrs	I	NRT
DIAGNOSTIC DEVICES					
Reading					
Brigance Diagnostic Inventories:					
. . . of Early Development*	C	1978	under 7 yrs	I	NRT/CRT
. . . of Basic Skills*	C	1977	K-6	I	CRT
. . . of Essential Skills*	C	1980	secondary	I	CRT
Prescriptive Reading Inventory (PRI)*	B	1972	K-6	G	CRT
Silent Reading Diagnostic Test*	H	1970	2-6	G	NRT
Stanford Diagnostic Reading Test*	E	1977	1.5-12	G/I	NRT/CRT
Woodcock Reading Mastery Test	A	1973	K-12	I	NRT
Math					
Brigance Diagnostic Inventories* (all-see Reading)	C	1977,78, 80	7 yrs-secondary	I	CRT
Diagnostic Math Inventory (DMI)*	B	1977	1.5-8.5	G	CRT
Key Math Diagnostic Arithmetic Test	A	1971	K-8	I	NRT/CRT
Stanford Diagnostic Mathematics Test*	E	1976	1.5-secondary	I	NRT/CRT

Name of Test	Publisher Code	Date Published	Level	Individual or Group	Norm Referenced (NRT) or Criterion Referenced (CRT)
Language					
Auditory Discrimination, Letter-Sound Associations, Sound Blending, Other Receptive Skills					
California Achievement Test*	B	1977-78	K-12	G	NRT/CRT
Iowa Tests of Basic Skills*	K	1978	K-9	G	NRT/CRT
Metropolitan Achievement Tests*	E	1978	K-9	G	NRT/CRT
Stanford Achievement Test*	E	1973	1.5-9.5	G	NRT/CRT
Stanford Diagnostic Reading Test*	E	1976	1.5-12	G/I	NRT/CRT
Articulation Assessment					
Goldman-Fristoe Test of Articulation Competence*	A	1972	elementary	I	CRT
Grammatic Usage/Competence					
Carrow Elicited Language Inventory*	G	1974	3-8 yrs	I	CRT
California Achievement Tests*	B	1977-78	K-12	G	NRT/CRT
Iowa Test of Basic Skills*	K	1978	K-9	G	NRT/CRT
Metropolitan Achievement Tests*	E	1978	K-9	G	NRT/CRT
Peabody Individual Achievement Test*	A	1970	K-12	I	NRT
Silent Reading Diagnostic Test*	H	1970	2-6	G	NRT
Stanford Achievement Test*	E	1973	1.5-9.5	G	NRT/CRT
Stanford Diagnostic Reading Test*	E	1977	1.5-12	G/I	NRT/CRT
Woodcock Reading Mastery Test	A	1973	K-12	I	NRT
Test of Oral Language Development (TOLD)	I	1977	4.0-8.11	I	NRT
Vocabulary					
Boehm Test of Basic Concepts	J	1971	5-6	G	CRT
California Achievement Test*	B	1977-78	K-12	G	NRT/CRT
Iowa Test of Basic Skills*	K	1978	K-9	G	NRT/CRT
McCarthy Scales of Children's Abilities*	J	1972	2½-7½ yrs	I	NRT
Metropolitan Achievement Test*	E	1978	K-9	G	NRT/CRT
Peabody Picture Vocabulary Test-Revised	A	1981	2½-40 yrs	I	NRT
Stanford Achievement Tests*	E	1973	1.5-9.5	G	NRT/CRT
Stanford-Binet Intelligence Scale*	F	1972	2-adult	I	NRT
Stanford Diagnostic Reading Tests*	E	1977	1.5-12	G/I	NRT/CRT
Test of Oral Language Development (TOLD)	I	1977	4.0-8.11	I	NRT
Written Language					
Test of Written Language (TOWL)	I	1978	3-8	I/G	NRT
Test of Written Spelling (TWS)*	I	1976	1-8	I	NRT
Readiness					
Brigance Diagnostic Inventories*	C	1978	under 7 yrs	I	NRT/CRT
Boehm Test of Basic Concepts	J	1971	5-6	G	CRT
Caldwell Preschool Inventory-Revised Edition	D	1970	3-6	I	CRT

Code	Publisher	Code	Publisher
A.	American Guidance Services Circle Pines, MI	G.	Learning Concepts Austin, TX
B.	CTB/McGraw Hill Monterey, CA	H.	Meridith Corporation Ardmore, PA
C.	Curriculum Associate North Billerica, MA	I.	Pro-Ed Publishers Austin, TX
D.	Educational Testing Service Princeton, NJ	J.	Psychological Corp. New York, NY
E.	Harcourt, Brace & Javanovitch New York, NY	K.	Riverside Publications Lombard, IL
F.	Houghton Mifflin Boston, MA	L.	Slossen Educational Publications East Aurora, NY